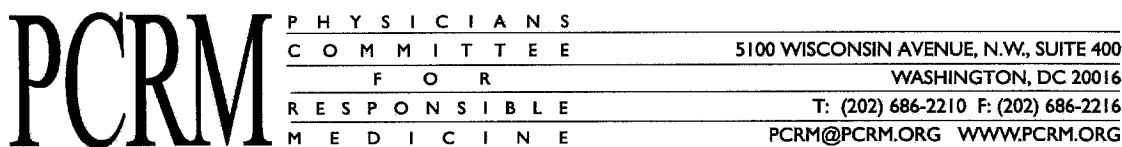


201-15400



June 25, 2004

Michael O. Leavitt, Administrator  
U.S. Environmental Protection Agency  
Ariel Rios Building, 1101-A  
1200 Pennsylvania Ave., N.W.  
Washington, DC 20460

Subject: Comments on the HPV Test Plan for 3-(2,2-dichloro-ethenyl)-2,2-dimethyl cyclopropanecarbonyl chloride

Dear Administrator Leavitt:

The following comments on FMC's test plan for the chemical 3-(2,2-dichloro-ethenyl)-2,2-dimethyl cyclopropanecarbonyl chloride are submitted on behalf of the Physicians Committee for Responsible Medicine, People for the Ethical Treatment of Animals, the Humane Society of the United States, the Doris Day Animal League, and Earth Island Institute. These health, animal protection, and environmental organizations have a combined membership of more than ten million Americans.

FMC Corporation submitted its test plan on December 31, 2003, for the chemical 3-(2,2-dichloro-ethenyl)-2,2-dimethyl cyclopropanecarbonyl chloride (CAS No. 52314-67-7), also known as DV acid chloride. Although FMC does not mention how this chemical is used, we assume it is an intermediate used to manufacture insecticides such as Cypermethrin. We are pleased to see that FMC considered the physical properties of this chemical (see below) and we concur completely that no animal testing is required under the HPV Challenge program.

FMC describes DV acid chloride as being a highly unstable compound that appears to react violently with water. Although virtually no toxicity data are available for this chemical, its fundamental nature warrants that no animal tests be conducted for DV acid chloride. We support FMC's position that any toxic effects in mammals (chemical delivery by gavage) would be "substantially related to its reaction products, not to DV acid chloride itself." Furthermore, DV acid chloride reactions have "a tendency to fume by releasing hydrogen chloride," which would damage animal tissue and render test results "inconsequential." This property would also cause even more suffering of animals subjected to treatment with such a highly reactive chemical.

We commend FMC on a scientifically valid and thoughtful analysis of the toxicity of DV acid chloride. We are hopeful that exposure and risk to DV acid chloride are already well controlled in the workplace, making further testing of this compound unnecessary.

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Thank you for your attention to these comments. I may be reached at 202-686-2210, ext. 327, or via e-mail at *meven@pcrm.org*.

Sincerely,

Megha Even, M.S.  
Research Analyst

Chad B. Sandusky, Ph.D.  
Director of Toxicology and Research